

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
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Chicago, Illinois 60604



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ORDER

Submitted April 19, 2010

Decided April 30, 2010

BEFORE

WILLIAM J. BAUER, *Circuit Judge*

TERENCE T. EVANS, *Circuit Judge*

ANN CLAIRE WILLIAMS, *Circuit Judge*

CERTIFIED COPY

A True Copy

Teste:


Deputy Clerk
of the United States
Court of Appeals for the
Seventh Circuit

No.: 09-4084	RICARDO PITTMAN, Plaintiff - Appellant v. VILLAGE OF DOLTON, et al., Defendants - Appellees
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Originating Case Information:

District Court No: 1:09-cv-00030
Northern District of Illinois, Eastern Division
District Judge James B. Zagel

The appellant has sued the same defendants over the same dispute three times. He settled his first suit, and his second suit was dismissed on the basis of res judicata. In his third suit, he repeated his earlier claims, which were again barred by res judicata, and added state and federal claims against several additional defendants. His new federal claims were, however, defeated variously by the statute of limitations, *see Brooks v. City of Chicago*, 564 F.3d 830, 832 (7th Cir. 2009), the lack of a state actor, *see Hallinan v. Fraternal Order of Police of Chicago Lodge No. 7*, 570 F.3d 811, 815 (7th Cir. 2009), and his failure to allege violation of a

-over-

right of citizenship, *see Green v. Benden*, 281 F.3d 661, 665 (7th Cir. 2002). The district court dismissed his state claims because there was no longer a federal claim that could underwrite its jurisdiction over them. *See* 28 U.S.C. 1367(c)(3); *Al's Service Center v. BP Products North America, Inc.*, 599 F.3d 720, 727 (7th Cir. 2010).

Now before the court is a motion to proceed in forma pauperis on appeal, filed by the pro se appellant. This court has carefully reviewed the final order of the district court, the record on appeal, and appellant's motion to proceed in forma pauperis. Based on this review, the court has determined that any issues which could be raised are insubstantial and that further briefing would not be helpful to the court's consideration of the issues. *See Taylor v. City of New Albany*, 979 F.2d 87 (7th Cir. 1992); *Mather v. Village of Mundelein*, 869 F.2d 356, 357 (7th Cir. 1989) (per curiam) (court can decide case on motions papers and record where briefing would not assist the court and no member of the panel desires briefing or argument). "Summary disposition is appropriate 'when the position of one party is so clearly correct as a matter of law that no substantial question regarding the outcome of the appeal exists.'" *Williams v. Chrans*, 42 F.3d 1137, 1139 (7th Cir. 1995), *citing Joshua v. United States*, 17 F.3d 378, 380 (Fed.Cir. 1994).

Accordingly, **IT IS ORDERED** that the motion to proceed in forma pauperis is **DENIED**, and the final order of the district court is summarily **AFFIRMED**.